

REQUEST FORM FOR
APPLICATION UNDER 37 CFR 1.53(b)

#5 / A
5/8/02
Mokish

JC879 U.S. PTO
10/028803
12/28/01

DOCKET NUMBER: 60188-116

Prior Application:

Art Unit: 2811

Examiner: S. Hu

Commissioner for Patents
Washington, DC 20231

Sir:

This is a Request for filing a Divisional application under 37 CFR 1.53(b) of pending prior application

Serial No. 09/099,195, filed on June 18, 1998, entitled SEMICONDUCTOR DEVICE AND METHOD FOR

FABRICATING THE SAME, by the following named inventor(s): Hiroaki NAKAOKA, Hiromasa FUJIMOTO,

Atsushi HORI, Takashi UEHARA and Takehiro HIRAI.

1. ☒ I hereby state that the enclosed application contains no new matter.
2. Oath or Declaration
 - a. ☐ Newly executed (original or copy)
 - b. ☒ Copy from a prior application (37 CFR 1.63(d))
 - i. ☐ Deletion of inventor(s)
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
3. ☒ Incorporation By Reference (useable if Box 2b is checked)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 2b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
4. ☒ Preliminary Amendment is enclosed.
5. ☒ An Information Disclosure Statement and PTO1449 Form are submitted herewith.
6. ☒ Cancel claims 1 - 15.



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PATENT TRADEMARK OFFICE

7. The filing fee is calculated on the basis of the claims existing in the prior application as amended at 4 and 6 above:

	NO. OF CLAIMS		EXTRA CLAIMS	RATE	AMOUNT
Total Claims	17	-20	0	\$18.00 =	\$0.00
Independent Claims	3	-3	0	\$84.00 =	\$0.00
Basic Application Fee					\$740.00
If multiple dependent claims are presented, add \$0.00					\$0.00
Total Application Fee					\$740.00
Subtract ½ if small entity					\$0.00
TOTAL APPLICATION FEE DUE					\$740.00
AMOUNT TO BE CHARGED TO DEPOSIT ACCOUNT NO. 500417					\$740.00

- 7a. ☐ Enclosed is a Verified Statement to establish small entity status under 37 CFR 1.9 and 37 CFR 1.27.
- 7b. ☐ A verified Statement to establish small entity status under 37 CFR 1.9 and 37 CFR 1.27 was filed in prior application and such status is still proper and desired.
- 8a. ☒ **PLEASE CHARGE DEPOSIT ACCOUNT 500417 in the amount of \$740.00**
- 8b. ☒ The Commissioner is hereby authorized to charge fees under 37 CFR 1.16 and 1.17 which may be required, including any extension of time fees to maintain the pendency of the parent application Serial No. 09/099,195 or credit any overpayment to Deposit Account No. 500417.
9. ☒ Amend the specification by inserting before the first line the sentence:

--This application is a divisional of Application Serial No. 09/099,195 filed June 18, 1998--
10. ☒ Priority of Application Serial No. 9-162178 filed on June 19, 1997, in Japan is claimed under 35 USC 119. The certified priority document was filed in Serial No. 09/099,195 on July 9, 1998.
11. ☒ The prior application is assigned of record to

Matsushita Electric Industrial Co., Ltd.
Osaka, Japan
12. ☒ The power of attorney in the prior application is to:

McDermott, Will & Emery
13. ☒ Also enclosed:
Request for Approval of Drawing Amendment (with marked Figs. 11 - 14)
Transmittal of Formal Drawings (12 sheets)


14. ☐

Address all future communications to: (May only be completed by applicant, or attorney or agent of record)

McDermott, Will & Emery
600 13th Street, N.W.
Washington, DC 20005-3096

Respectfully submitted,

MCDERMOTT, WILL & EMERY


Michael E. Fogarty
Registration No. 36,139

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Date: December 28, 2001
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